

Committee Agenda

Committee: Senate Agriculture and Natural Resources
Room: 412
Date: Thursday, February 11, 2010
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 178](#) **provide for the issuance of reduced fee hunting and fishing licenses to certain persons with disabilities.**
Senators Maher and Kloucek and Representatives Olson (Betty), Schrempp, and Verchio

[HB 1058](#) **restructure the South Dakota Weed and Pest Control Commission.**
The Committee on Agriculture and Natural Resources at the request of the Department of Agriculture

[HB 1101](#) **provide for restructuring the membership of the Corn Utilization Council.**
Representatives Vanneman, Carson, Fargen, Noem, Pitts, and Van Gerpen and Senators Rhoden, Hansen (Tom), and Peterson

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

LARRY RHODEN, Chair

Committee Agenda

Committee: Senate Commerce
Room: 423
Date: Thursday, February 11, 2010
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 2](#) **revise certain provisions regarding alcoholic beverage control and licensing laws.**

Senators Nelson, Maher, and Tieszen and Representatives Rounds, Carson, Faehn, Kirkeby, Lederman, Sorenson, and Turbiville at the request of the Interim Committee on Alcoholic Beverage Control and Licensing Laws

[SB 81](#) **exempt open-loop prepaid cards from unclaimed property provisions.**

Senators Dempster, Gray, Hansen (Tom), Nesselhuf, Olson (Russell), and Turbak Berry and Representatives Solum, Cutler, Deadrick, Faehn, Hunhoff (Bernie), Rounds, and Schlekeway

[SB 117](#) **designate the kolache as the official state pastry.**

Senator Kloucek and Representative Frerichs

[SB 108](#) **prohibit dental insurers from setting fees for noncovered services.**

Senators Olson (Russell), Dempster, Gant, Merchant, Nelson, Nesselhuf, Peterson, and Tieszen and Representatives Rausch, Blake, Bolin, Cronin, Elliott, Engels, Fargen, Feickert, Gibson, Hamiel, Jensen, Kirkeby, Kirschman, Krebs, Lederman, Lucas, Moser, Novstrup (David), Pitts, Romkema, Schlekeway, Solberg, Solum, Sorenson, Steele, Van Gerpen, and Vanderlinde

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[SB 119](#) **permit an auctioneer to offer an opinion regarding the value of property.**

Senator Gillespie and Representatives Lederman and Bolin

[SB 116](#) **require that certain insurers provide notice by certified or registered mail under certain circumstances.**

Senators Kloucek, Bartling, Gillespie, Peterson, and Turbak Berry and Representatives Kirschman, Blake, Brunner, Engels, Fargen, Feinstein, Frerichs, Hamiel, Hoffman, Hunhoff (Bernie), Lange, Lederman, Moser, Romkema, Schrempp, Solberg, Sorenson, Thompson, and Turbiville

RUSSELL OLSON, Chair

85th Legislative Session – 2010

Committee: Senate Education

Thursday, February 11, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Gray
P Jerstad
P Nesselhuf
P Olson (Russell)
P Peterson
P Knudson, Vice-Chair
P Garnos, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cooper Garnos, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 9, 2010.

Moved by: Olson (Russell)
Second by: Nesselhuf
Action: Prevailed by voice vote.

SB 191: establish the South Dakota Early Learning Council, and to establish community planning processes and eligibility criteria for entities seeking state funding to provide voluntary prekindergarten programs to children from low-income families.

Presented by: Senator Thomas Dempster
Proponents: Deb Bowman, Department of Social Services
Deb Barnett, Department of Education
Buddy Seiner, SD Head Start, Pierre
Greg Boris, South Dakota Voices for Children
Wayne Lueders, Associated School Boards of SD
Randy Stewart, Self, Sioux Falls

Opponents: Kena Brown, self, Deadwood
Scott Louis, self, Pierre
Sandy Arseneault, SD Education Assoc.
Cindy Flakoll, Concerned Women For America
Chris Hupke, SD Family Policy Council

MOTION: AMEND SB 191

191ca

On page 2, line 12, of the printed bill, after "§ 26-6-14.2," insert "be a federally funded Head Start program pursuant to 42 USC 9801 et seq., as amended to January 1, 2010,".

Moved by: Knudson
Second by: Nesselhuf
Action: Prevailed by voice vote.

MOTION: DO PASS SB 191 AS AMENDED

Moved by: Knudson
Second by: Nesselhuf
Action: Prevailed by roll call vote. (4-2-1-0)

Voting Yes: Nesselhuf, Peterson, Knudson, Garnos

Voting No: Gray, Olson (Russell)

Excused: Jerstad

SB 145: revise certain qualifications for the South Dakota opportunity scholarship program.

Presented by: Senator Pam Merchant
Proponents: Paul Turman, Board of Regents

MOTION: AMEND SB 145

145ca

On page 2, line 8, after "semesters;" insert "and".

On page 2 of the printed bill, delete lines 9 to 20, inclusive, and insert:

"

- (2) ~~Complete fifteen credit hours of instruction per semester. The student shall enroll in and complete at least fifteen credit hours of instruction in each consecutive spring and fall term. Earn thirty-two credit hours prior to the beginning of the second year of instruction, sixty-four credit hours prior to the beginning of the third year of instruction, and ninety-six credit hours prior to the fourth year of instruction.~~ If the executive director of the Board of Regents determines that a student's failure to enroll or to maintain continued enrollment occurred as a direct result of legitimate factors outside the student's control, or has resulted from the student's participation in an activity that in the executive director's judgment provides knowledge or experience that will enhance the student's academic pursuits, the executive director may extend the student's eligibility to participate in the program for up to two additional years, if the student does not enroll in a noneligible institution; ~~and~~."

On page 2, overstrike lines 21 to 24, inclusive.

Overstrike page 3.

Moved by: Gray
Second by: Olson (Russell)
Action: Prevailed by voice vote.

MOTION: DO PASS SB 145 AS AMENDED

Moved by: Knudson
Second by: Nesselhuf
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Gray, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

Excused: Jerstad

SB 194: revise provisions related to school district tuition for children placed in certain state institutions.

Presented by: Senator Gary Hanson
Proponents: Gerry Kaufman, Sisseton School District, Huron
Opponents: Shayne McIntosh, Self, Parkston

Tom Oster, Secretary of Education called by Senator Cooper Garnos, Chair

MOTION: DEFER SB 194 TO THE 41ST LEGISLATIVE DAY

Moved by: Gray

Second by: Knudson

Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Gray, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

Voting No: Jerstad

HB 1108: revise the definition of general fund base percentage in the calculation of state aid to education.

Presented by: Representative Bill Van Gerpen

Proponents: Shayne McIntosh, Self, Parkston
Jim Hutmacher, SD Coalition of Schools
Tom Oster, Secretary Department of Education
Wayne Lueders, Associated School Boards of SD

MOTION: DO PASS HB 1108

Moved by: Peterson

Second by: Olson (Russell)

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

Excused: Gray

THE CHAIR DEFERRED SB 105 UNTIL TUESDAY, FEBRUARY 16, 2010

MOTION: ADJOURN

Moved by: Nesselhuf

Second by: Jerstad

Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Cooper Garnos, Chair

Committee Agenda

Committee: Senate Judiciary
Room: 413
Date: Thursday, February 11, 2010
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 43](#) **authorize the Public Utilities Commission to recover and disburse certain damages on behalf of retail customers of telecommunications companies.**
The Committee on Judiciary at the request of the Public Utilities Commission

[SB 103](#) **revise certain provisions relating to trusts.**
Senator Knudson and Representatives Cutler and Lust

[SB 132](#) **permit the utilization of certain DNA samples to determine parentage under certain conditions.**
Senators Nelson, Adelstein, Bradford, Heidepriem, Jerstad, Rhoden, and Tieszen and Representatives Romkema, Hoffman, Kirkeby, Kopp, McLaughlin, Moser, Olson (Betty), Rounds, Solum, Turbiville, and Verchio

[SB 163](#) **revise the penalty for first degree manslaughter.**
Senators Bradford, Bartling, and Turbak Berry and Representatives Engels, Hunhoff (Bernie), and Lange

[SB 167](#) **provide for the reconfiguration of the South Dakota sex offender registry to facilitate enhanced utilization by the public.**
Senators Jerstad, Brown, Fryslie, Merchant, and Tieszen and Representatives Gibson, Jensen, Sorenson, and Van Gerpen

[SB 179](#) **require that certain contested cases be heard by hearing examiners in the Office of Hearing Examiners.**
Senators Gillespie, Adelstein, Heidepriem, Hundstad, Jerstad, Kloucek, Merchant, Schmidt, Tieszen, and Turbak Berry and Representatives Feinstein, Burg, Cutler, Engels, Fargen, Frerichs, Gosch, Hunhoff (Bernie), Hunt, Kirkeby, Krebs, Lederman, Lucas, Nygaard, and Sorenson

[SB 185](#) **redact certain information from public records that may endanger a person's life or safety.**
Senator Novstrup (Al) and Representative Rounds

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[SB 44](#) **authorize the Public Utilities Commission to conduct certain rule-making proceedings by teleconference.**
The Committee on Judiciary at the request of the Public Utilities Commission

[SB 5](#) **revise certain provisions relating to the registration of juvenile sex offenders.**
Senators Abdallah and Jerstad and Representatives Gosch, Engels, Gibson, and Sly at the request of the Interim Sex Offender Registry Committee

[SB 6](#) **revise the criteria for removal from the sex offender registry.**
Senators Abdallah and Jerstad and Representatives Gosch, Engels, Gibson, and Sly at the request of the Interim Sex Offender Registry Committee

[SB 9](#) **limit misdemeanor eligibility for registration on the sex offender registry.**
Senators Abdallah and Jerstad and Representatives Gosch, Engels, Gibson, and Sly at the request of the Interim Sex Offender Registry Committee

[SB 12](#) **provide for a tiered sex offender registry and to establish certain criteria for eligibility to petition for removal or reassignment.**
Senators Abdallah and Jerstad and Representatives Gosch, Engels, Gibson, and Sly at the request of the Interim Sex Offender Registry Committee